

RESOLUTION NO. 6648

A RESOLUTION ESTABLISHING A POLICY FOR THE DISTRIBUTION OF TICKETS AND PASSES RECEIVED BY THE CITY OF SANTA PAULA PURSUANT TO 2 CALIFORNIA CODE OF REGULATIONS § 18944.1.

The City Council of the City of Santa Paula does hereby resolve and order as follows:

SECTION 1: The City Council finds as follows:

- A. The Fair Political Practices Commission ("FPPC") require the City to set forth a written policy regarding the distribution of tickets and passes received by the City;
- B. The FPPC recognizes the discretion of local agency governing bodies, including the City Council, to determine if the distribution of tickets and passes serves the agency's legitimate public purpose;
- C. The receipt of such tickets and passes is a resource of the City and not of its officials or employees;
- D. The City desires to distribute this resource in a manner that furthers the public purposes of the City, as described herein; and
- E. The City has a strong public purpose in ensuring the quality and continued improvement of events and attractions in the City.

SECTION 2: Definitions. Unless specifically stated to the contrary, all terms in this Resolution are defined as set forth in California Government Code §§ 82000, *et seq.*, and 2 California Code of Regulations ("CCR") § 18944.1.

SECTION 3: Purpose. The purpose of this policy is to ensure all tickets and passes received by the City are distributed in furtherance of the City's stated public purposes and in accordance with 2 CCR § 18944.1.

SECTION 4: Application. This Resolution applies only to tickets or passes distributed by the City to, or at the behest of, public officials. This includes distribution of any tickets or passes received under contract or agreement where the consideration to the City includes a certain number of tickets or passes to the event which is the subject of the contract or agreement. Tickets or passes received by an official from sources other than the City will be treated in

accordance with applicable law including, without limitation, the Political Reform Act and FPPC regulations.

SECTION 5: Public Purposes. Tickets and passes may be distributed by the City only in furtherance of any or all of the following public purposes:

- A. Promoting local events, tourism, or public facilities;
- B. Promoting City programs, facilities, and resources;
- C. Promoting programs and resources available to the City's residents from sources other than the City;
- D. Promoting or acknowledging achievements or accomplishments of residents or businesses of the City;
- E. Employee recognition or retention;
- F. A public purpose identified by written resolution adopted by the City Council at the time of distributing tickets or passes; and
- G. As an incident to the above public purposes, allowing for the immediate family of public officials to accompany the officials to events to accomplish any of the purposes listed in this Resolution.

SECTION 6: Limitations. Tickets or passes distributed to a public official under this policy are solely for the personal use of the official or his or her immediate family. Any unused ticket or pass distributed to a public official under this policy must be returned to the City for redistribution if the ticket or pass remains valid. Under no circumstances may the ticket or pass be sold or further distributed by the official, except to the official's immediate family for their personal use.

SECTION 7: Other Benefits Not Included. Recipient officials are advised to review 2 CCR § 18944.1(f) which limits the ticket or pass gift exemption to only the value of the ticket or pass, and does not include other benefits received at the event, including food or beverages.

SECTION 8: Ticket or Pass Distribution. The City Manager, or designee, is responsible for distribution of tickets or passes in accordance with this policy. The City Council authorizes the City Manager to exercise the City's discretion in determining if distribution of the tickets or passes complies with this policy, including any distribution to the City Manager or his or her immediate family.

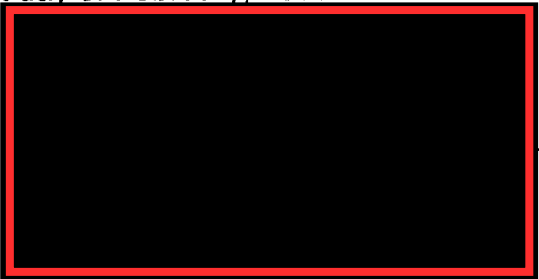
SECTION 9: Posting of Policy. This policy must be posted on the City's website in a prominent fashion, as required by 2 CCR § 18944.1(c).

SECTION 10: *Posting of Ticket or Pass Distribution.* In accordance with 2 CCR § 18944.1(d), any distribution of passes or tickets under this policy must be posted in a prominent fashion on the City's website within thirty (30) days of the distribution. The posting must contain all information required by 2 CCR § 18944.1(d). The posting must use FPPC Form 802, or any form approved for this purpose by the City Manager.

SECTION 11: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City's original resolutions; and make a minute of the adoption of the Resolution in the City Council's records and the minutes of this meeting.

SECTION 12: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 1st day of February, 2009.



ATTEST



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